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# Nelson Mullins

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August 15, 2005

Mr. Charles Terreni, Chief Clerk  
Public Service Commission of South Carolina  
P.O. Drawer 11649  
Columbia, SC 29211

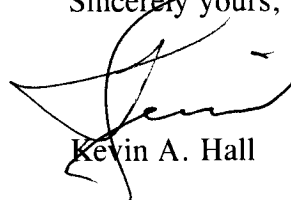
Re: Generic Proceeding to Explore a Formal Request for Proposal  
Process for Utilities that are Considering Alternatives for Adding  
Generating Capacity  
Docket No. 2005-191-E

Dear Mr. Terreni:

Enclosed for filing on behalf of LS Power Associates, L.P., please find a Petition to Intervene in the above referenced matter. Please return a file stamped copy to us in the enclosed envelope.

By copy of this letter, we are serving a copy of the same on all parties of record. Should you have any questions, please do not hesitate to contact me.

Sincerely yours,



Kevin A. Hall

KAH:dj  
Enclosures

cc: Len S. Anthony, Esquire  
Kendal Bowman, Esquire  
Richard L. Whitt, Esquire  
William F. Austin, Esquire  
Patricia B. Morrison, Esquire  
Belton T. Zeigler, Esquire  
C. Dukes Scott, Esquire  
Frank R. Ellerbe III, Esquire

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approximately \$3 billion. As a potential supplier, LS Power's intervention in this proceeding is in the public interest.

2. LS Power's authorized representatives in this proceeding are as follows:

Kevin A. Hall  
D. Larry Kristinik  
Nelson Mullins Riley & Scarborough LLP  
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Facsimile: 803.255.9030

3. In the course of Docket No. 2004-178-C, a party intervenor proposed that the Commission initiate a rulemaking proceeding to consider a competitive bidding process for utilities considering construction of additional generating capacity. The Commission decided to open a generic proceeding to explore a formal request for proposal ("RFP") process for utilities that are considering adding generating capacity.

4. On July 12, 2005, the Commission issued a notice establishing this generic proceeding to explore a formal RFP process.

5. LS Power sells electricity on the wholesale market and therefore has an interest in this proceeding as a potential supplier. LS Power's intervention in this docket will assist the Commission by helping the Commission to develop a complete record to address the issues raised in this proceeding.

6. LS Power is informed and believes that granting this Petition to Intervene is in the public interest and furthers the Commission's policy of promoting public participation in pending matters.

7. LS Power anticipates having one witness in this proceeding and that one hour will be necessary for presentation of this witness' testimony. LS Power will advise the Commission immediately should the number of witnesses or time anticipated for presentation change.

WHEREFORE, LS Power prays for the following relief:

- A. That this petition to intervene be granted by the Commission and that LS Power be made a formal party of record to the proceeding;
- B. That LS Power be allowed to participate fully in this proceeding and to take such positions as it deems advisable; and
- C. That such other and further relief be granted as is just and proper.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 

Kevin A. Hall

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D. Larry Kristinik

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Attorneys for Petitioner

Columbia, South Carolina

8/15, 2005

BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

DOCKET NO. 2005-191-E

In re:

Generic Proceeding to Explore a  
Formal Request for Proposal Process  
For Utilities That Are Considering  
Alternatives for Adding  
Generating Capacity

CERTIFICATE OF SERVICE

This is to certify that I, Deborah L. Johnson, an Administrative Assistant with the law firm of Nelson Mullins Riley & Scarborough, L.L.P., have this day caused to be served upon the persons named below the **Petition to Intervene of LS Power Associates, L.P.** in the foregoing matter by placing a copy of same in the United States Mail, postage prepaid, to the below addresses:

Len S. Anthony, Esquire  
Progress Energy Service Company, LLC  
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Raleigh, NC 27602

Kendall Bowman, Esquire  
Progress Energy Service Company, LLC  
P.O. Box 1551  
Raleigh, NC 27602

William F. Austin, Esquire  
Austin, Lewis & Rogers, P.A.  
P.O. Box 11716  
Columbia, SC 29211

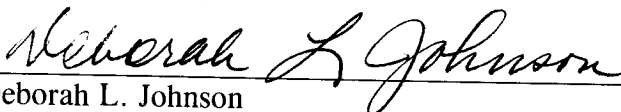
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Deborah L. Johnson

August 15, 2005